

1964

13703

The PRESIDING OFFICER. The amendment of the Senator from South Carolina will be stated.

The LEGISLATIVE CLERK. On page 53, beginning on line 17, it is proposed to delete down through the period on line 21.

Mr. THURMOND. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. THURMOND. Mr. President, I yield myself 45 seconds.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 45 seconds.

Mr. THURMOND. Mr. President, it is one of the functions of the Government to provide machinery by which disputes between private parties may be justly adjudicated. It is not the function of the Government to finance the adjudication of private disputes and controversies of citizens engaged in civil actions. This amendment would, therefore, delete from section 706(b) of title VII of the substitute the proposed authority of the Court to appoint an attorney for a complainant in suits alleging denial of equal employment opportunities.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Virginia [Mr. ROBERTSON], the Senator from Mississippi [Mr. STENNIS], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from California [Mr. ENGLE] is absent because of illness.

I further announce that, if present and voting, the Senator from North Carolina [Mr. ERVIN] would vote "nay."

On this vote, the Senator from Mississippi [Mr. STENNIS] is paired with the Senator from California [Mr. ENGLE].

If present and voting, the Senator from Mississippi would vote "yea" and the Senator from California would vote "nay."

On this vote, the Senator from Virginia [Mr. ROBERTSON] is paired with the Senator from Ohio [Mr. YOUNG].

If present and voting, the Senator from Virginia would vote "yea" and the Senator from Ohio would vote "nay."

Mr. KUCHEL. I announce that the Senator from Arizona [Mr. GOLDWATER] and the Senator from New York [Mr. JAVITS] are detained on official business.

If present and voting, the Senator from New York [Mr. JAVITS] would vote "nay."

The result was announced—yeas 26, nays 67, as follows:

[No. 413 Leg.]

YEAS—26

Byrd, Va.	Fulbright	Hruska
Cotton	Gore	Johnston
Curtis	Hickenlooper	Jordan, Idaho
Eastland	Hill	Long, La.
Ellender	Holland	

McClellan  
Mechem  
Russell  
Simpson

Smathers  
Sparkman  
Talmadge  
Thurmond

Tower  
Walters  
Williams, Del.

NAYS—67

Aiken  
Allott  
Anderson  
Bartlett  
Bayh  
Beall  
Bennett  
Bible  
Boggs  
Brewster  
Burdick  
Byrd, W. Va.  
Cannon  
Carlson  
Case  
Church  
Clark  
Cooper  
Dirksen  
Dodd  
Dominick  
Douglas  
Edmondson

Fong  
Gruening  
Hart  
Hartke  
Hayden  
Humphrey  
Inouye  
Jackson  
Keating  
Kennedy  
Kuchel  
Lausche  
Long, Mo.  
Magnuson  
Mansfield  
McCarthy  
McGee  
McGovern  
McIntyre  
McNamara  
Metcalf  
Miller  
Monroney

Morse  
Morton  
Moss  
Mundt  
Muskie  
Nelson  
Neuberger  
Pastore  
Pearson  
Pell  
Proxmire  
Randolph  
Ribicoff  
Saltonstall  
Scott  
Smith  
Symington  
Williams, N.J.  
Yarborough  
Young, N. Dak.

NOT VOTING—7

Engle  
Ervin  
Goldwater

Javits  
Robertson  
Stennis

Young, Ohio

So Mr. THURMOND's amendment (No. 1022) was rejected.

Mr. HUMPHREY. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. THURMOND. Mr. President, I call up my amendment No. 1023, and ask the clerk to read it.

The PRESIDING OFFICER. The amendment offered by the Senator from South Carolina will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 53, beginning with the word "Upon" on line 21, to delete all through the word "action" on line 23, as follows:

Upon timely application, the court may, in its discretion, permit the Attorney General to intervene in such civil action.

Mr. THURMOND. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. THURMOND. I yield myself 45 seconds.

Mr. President, there is no logical or sound basis for the Attorney General of the United States to intervene in civil actions brought by private individuals who allege they have been denied equal employment opportunities. The United States has no business as a party to such actions. The courts, which are agents of the United States, are established for the purpose of judging such controversies, and it is improper for the United States to act as both judge and participant. This amendment would, therefore, delete the proposed authority for the Attorney General of the United States to intervene in such suits.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Oregon [Mr. NEUBERGER], the Senator from Virginia [Mr.

ROBERTSON], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from California [Mr. ENGLE] is absent because of illness.

On this vote, the Senator from Virginia [Mr. ROBERTSON] is paired with the Senator from Ohio [Mr. YOUNG].

If present and voting, the Senator from Virginia would vote "yea" and the Senator from Ohio would vote "nay."

I further announce that, if present and voting, the Senator from California [Mr. ENGLE] and the Senator from Oregon [Mr. NEUBERGER] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New York [Mr. JAVITS] is detained on official business and, if present and voting, would vote "nay."

The result was announced—yeas 28, nays 67, as follows:

[No. 414 Leg.]

YEAS—28

Byrd, Va.	Hickenlooper	Simpson
Byrd, W. Va.	Hill	Smathers
Cotton	Holland	Sparkman
Curtis	Hruska	Stennis
Eastland	Johnston	Talmadge
Ellender	Jordan, N.C.	Thurmond
Ervin	Long, La.	Tower
Fulbright	McClellan	Walters
Goldwater	Mechem	
Gore	Russell	

NAYS—67

Aiken	Gruening	Morse
Allott	Hart	Morton
Anderson	Hartke	Moss
Bartlett	Hayden	Mundt
Bayh	Humphrey	Muskie
Beall	Inouye	Nelson
Bennett	Jackson	Pastore
Bible	Jordan, Idaho	Pearson
Boggs	Keating	Pell
Brewster	Kennedy	Proxmire
Burdick	Kuchel	Randolph
Cannon	Lausche	Ribicoff
Carlson	Long, Mo.	Saltonstall
Case	Magnuson	Scott
Church	Mansfield	Smith
Clark	McCarthy	Symington
Cooper	McGee	Williams, N.J.
Dirksen	McGovern	Williams, Del.
Dodd	McIntyre	Yarborough
Dominick	McNamara	Young, N. Dak.
Douglas	Metcalf	
Edmondson	Miller	
Fong	Monroney	

NOT VOTING—5

Engle  
Javits

Neuberger  
Robertson

Young, Ohio

So Mr. THURMOND's amendment (No. 1023) was rejected.

Mr. RANDOLPH. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. ANDERSON. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The substitute is open to further amendment.

Mr. THURMOND. Mr. President, I call up my amendment No. 1024, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 55, line 21, delete the word "not".

Mr. THURMOND. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.  
Mr. THURMOND. Mr. President, I yield myself 30 seconds.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 30 seconds.

Mr. THURMOND. Mr. President, section 706(h) of title VII of the substitute would make inapplicable the Norris-La Guardia Act section brought in the labor field under the provisions of title VII. Action under this title falls within the scope of labor-management relations, and no such exception should be made.

This amendment would therefore make the provisions of the Norris-La Guardia Act applicable to acts commenced under the provisions of title VII.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina [Mr. THURMOND]. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from California [Mr. ENGLE] is absent because of illness.

I further announce that, if present and voting, the Senator from California [Mr. ENGLE] would vote "nay."

On this vote, the Senator from Virginia [Mr. ROBERTSON] is paired with the Senator from Ohio [Mr. YOUNG].

If present and voting, the Senator from Virginia would vote "yea," and the Senator from Ohio would vote "nay."

Mr. KUCHEL. I announce that the Senator from Arizona [Mr. GOLDWATER] is detained on official business.

The result was announced—yeas 23, nays 72, as follows:

[No. 415 Leg.]

#### YEAS—23

Byrd, Va.	Holland	Sparkman
Byrd, W. Va.	Johnston	Stennis
Eastland	Jordan, N.C.	Talmadge
Ellender	Long, La.	Thurmond
Ervin	McClellan	Tower
Fulbright	Mcchem	Walters
Gore	Russell	Yarborough
Hill	Smathers	

#### NAYS—72

Aiken	Fong	Miller
Allott	Gruening	Monroney
Anderson	Hart	Morse
Bartlett	Hartke	Morton
Bayh	Hickenlooper	Moss
Beall	Hruska	Mundt
Bennett	Humphrey	Muskie
Bible	Inouye	Nelson
Boggs	Jackson	Neuberger
Brewster	Javits	Pastore
Burdick	Jordan, Idaho	Pearson
Cannon	Keating	Pell
Carlson	Kennedy	Proity
Case	Kuchel	Proxmire
Church	Lausche	Randolph
Clark	Long, Mo.	Ribicoff
Cooper	Magnuson	Saltonstall
Cotton	Manafield	Scott
Curtis	McCarthy	Simpson
Dirksen	McGee	Smith
Dodd	McGovern	Symington
Dominick	McIntyre	Williams, N.J.
Douglas	McNamara	Williams, Del.
Edmondson	Metcalfe	Wicker

#### NOT VOTING—5

Engle	Hayden	Young, Ohio
Goldwater	Robertson	

So Mr. THURMOND's amendment was rejected.

#### AMERICAN INVOLVEMENT IN SOUTHEAST ASIA

Mr. CHURCH. Mr. President, I yield myself 1 minute.

Recently, I have had the good fortune to read several thoughtful editorials on the American involvement in southeast Asia. Those which I found profitable included an editorial written by Drury R. Brown and published in the June 1 issue of the Blackfoot (Idaho) News; an editorial written by Ladd Hamilton, which was published in the April 28 issue of the Lewiston (Idaho) Tribune; an editorial entitled "Asian Confrontation," published in the June 12 issue of the New York Times; and a column written by Ralph McGill, printed in the June 12 issue of the Idaho Daily Statesman. I ask unanimous consent to have the articles printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Blackfoot (Idaho) News, June 1, 1964]

#### THE HOUR LATE IN SOUTHEAST ASIA

For many people in the United States the words "South Vietnam," "Laos," and "Cambodia," have little meaning. But for thoughtful Americans, pronunciation of the names of these little countries in the peninsula extending from southeast Asia have at the present time the sound of a fire-alarm bell.

Among high Government officials, members of the Senate Foreign Relations Committee, newspaper correspondents who are on the scene and individual citizens who would wish the right U.S. foreign policy to prevail, there is an honest difference about what we should do about our involvement there.

John S. Knight, a respected newspaper publisher who believes we should withdraw from our overextended position in that area of the world, recently stated the facts leading to our having troops in what was once known as French Indochina.

In World War II, the whole peninsula fell like an overripe plum into the hands of the Japanese when they surged southward. France at the time was a captive to Nazi Germany. The French authorities in Indochina easily capitulated to the Japanese.

The Vietminh guerrillas in the Japanese occupied territory fought the Japanese. At the same time they were determined that the French should not return to their former control of the peninsula.

When the German and Japanese war machines were overthrown, a freed France reasserted in 1946 her claim to her former colonies. The claim led to war between the Vietminh guerrillas and the French. The United States sided with France. The Vietminh, in the meantime, had secured the backing of the Red Chinese.

Despite all the help that the United States gave France, the Viet guerrillas in a 6-year war that ended in 1954 with Dien Bien Phu, totally defeated the French.

The war ended with a cease-fire accord at Geneva and a conference of the SEATO power with representatives of the guerrilla leaders. The conference accomplished little other than the agreement for a cease-fire. Guerrilla control over North Vietnam was accepted. South Vietnam, Laos, Cambodia, and the SEATO powers—Britain, United States, France, New Zealand, the Philippines, Pakis-

tan, Thailand, and Australia, agreed to protect the little countries against Communist aggression.

The basis of the agreement was that when the established governments of South Vietnam, Laos, or Cambodia might be threatened by subversion and would ask for help, the guarantor nations would come to their aid.

This was the Dulles diplomacy. It was based on containing or battling communism anywhere in the world. Any revolution anywhere in the world would be presumed to be Communist inspired. It did not take into account the feeling of the masses of people in the lands we were obligated to shore up. They might have no recourse other than to rebel against an aggressive or corrupt government, but it was always presumed that such revolution was Communist inspired.

The rest of the world simply did not agree with the prevailing U.S. policy during most of the postwar period—the policy of intervening in every revolution on the side of established governments.

Accordingly, when trouble occurred in Laos or South Vietnam, the burden of shoring up the existing government fell on the United States as the leader of the anti-Communist bloc. The other involved powers have continued to look the other way.

President Johnson has restated the position of the United States. The United States, he has said, will do whatever is necessary to help the southeast Asians resist Communist assault "as long as they continue to ask us for help."

The frightening part is that the Government that may ask us for help may be unrepresentative of the people of the land.

There is unmistakable evidence the people of southeast Asia want nothing so badly as to be let alone.

This point was driven home to me in listening to Pulitzer Prize winning Reporter Malcom Browne, who spoke at a recent meeting of the Idaho-Utah Associated Press meeting in Moscow, Idaho. His picture of the Buddhist monk who burned himself to death in protest to the Diem regime in South Vietnam did much to alert public opinion to the real situation in that land. (This young reporter is one of the heroes among newsmen dedicated to letting the people of the United States know what really is going on in the world. He suffered much at the hands of Diem's police.)

The situation in southeast Asia, said Browne, is so bad that it may be too late now for the United States to accomplish anything there. Our problem has been twofold: to resist the Communists, and to encourage the local leaders to create a government the people would be willing to fight for to preserve.

He recognized the threat to the free world that is found in the guerrilla tactics advanced by Ho Chi Minh. He believes that if they are permitted to work in southeast Asia, the free world will be confronted with them everywhere.

But everything he said indicated that the Communists are winning the battle for the minds of the people. They move in and infiltrate the country nominally under the control of Western-supported governments. They will ruthlessly kill a few leaders of the opposition, but they will mingle with and convert the ordinary farmers and villagers.

There are many devoted Americans seeking to improve the condition of the people of Laos and South Vietnam, but there are not enough of them and they are working against too great odds, said Browne.

He gave a specific instance of how things work out. The Vietnam forces, for instance, will hear that the Communists have taken over a certain village. They will send an advance force into the village. They will send the village through the jungle they may find they are pinned down across a moat from the village by rifle fire. The U.S.-advised